THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.5697 of 2006

03.4.2006

Between:

Mohd. Yaseen Shareef @ Babujani
and another

… Petitioners

AND

The District Collector,

Ranga Reddy District

And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.5697 of 2006

ORDER:

The grandfather of the petitioners, late Mohd. Shareef, was pattadar of the land admeasuring Acs.4.23 guntas in survey No.9 situated at Raviryala Village of Maheshwaram Mandal in Ranga Reddy District. The land was acquired in the year 1967 for construction of maternity hospital and school in the village. It is the case of the petitioner that in lieu of the land acquired, the respondents allotted alternate land admeasuring Acs.9.27 guntas in survey No.241 in the same village, the father and the uncle of the petitioners were given two separate certificates under Laoni Rules. The petitioners alleged that when the land was measured, instead of Acs.9.27 guntas it admeasured only Acs.6.00. Therefore, the petitioners filed the instant writ petition seeking a direction to the respondents to allot remaining extent of Acs.3.27 guntas in survey No.241.

Heard learned Counsel for the petitioners and learned Assistant Government Pleader for Revenue (General). Even according to learned Counsel for the petitioners, the land was allotted to the grandfather and father of the petitioners, way back in 1979. They accepted the land whatever was the extent without any demur and now, after lapse of about 27 years, the petitioners, who are grandsons of the original allottee, cannot be permitted to make out a grievance regarding shortfall of the land. Except stating that they made a representation to the District Collector on 10.1.2005, delay and latches have not been properly explained. Further, under an

agreement for exchange of land, the petitioners grandfather parted with the land in survey No.9 for school and maternity hospital and if the land allotted in lieu thereof fell short of the same, the predecessors of the petitioners ought to have raised objections at the earliest point of time. They acquiesced the whole transaction and now the petitioners cannot make any grievance out of it.

The writ petition is devoid of any merit and is accordingly dismissed. No costs.

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(**V.V.S.RAO,J**)

April 03, 2006.

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